

Figure 1

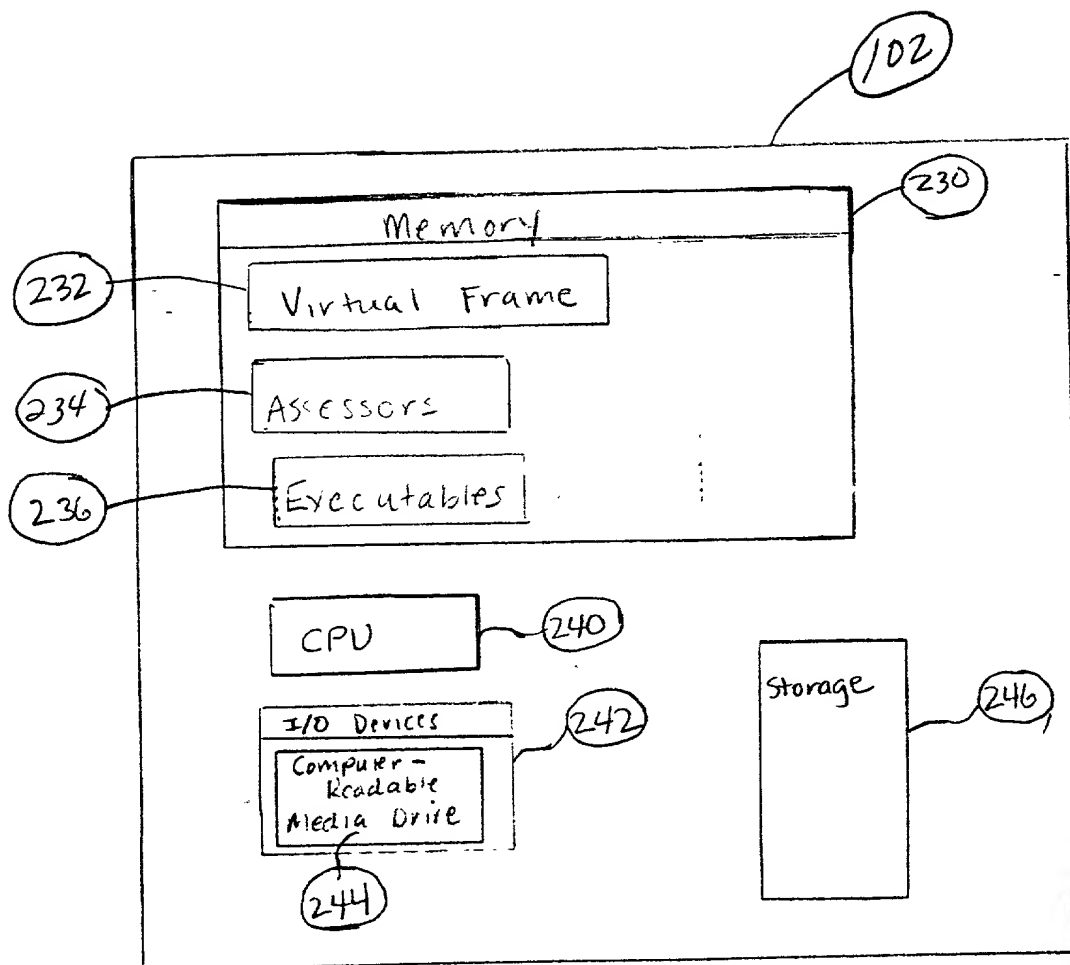


Figure 2

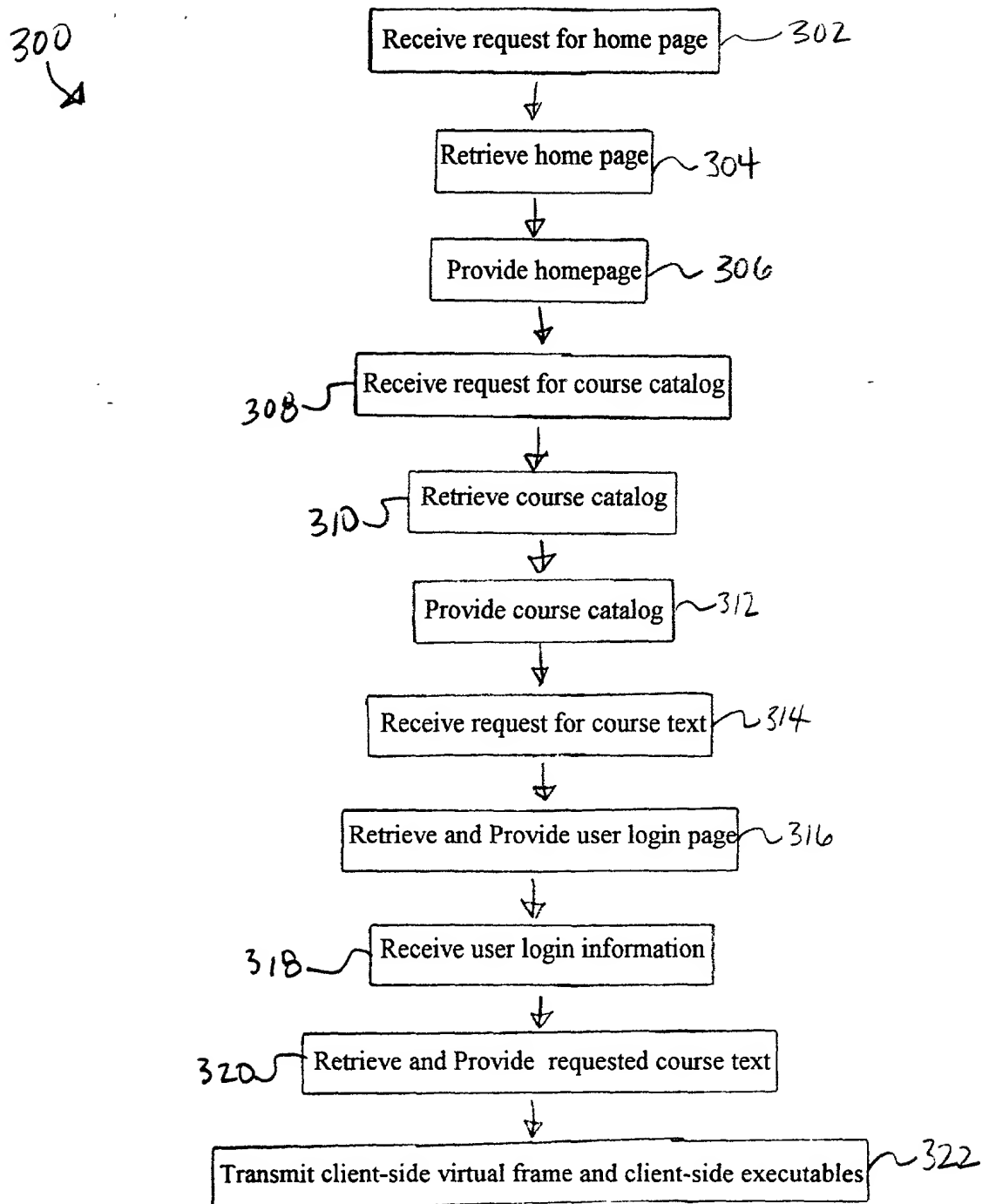


Figure 3A

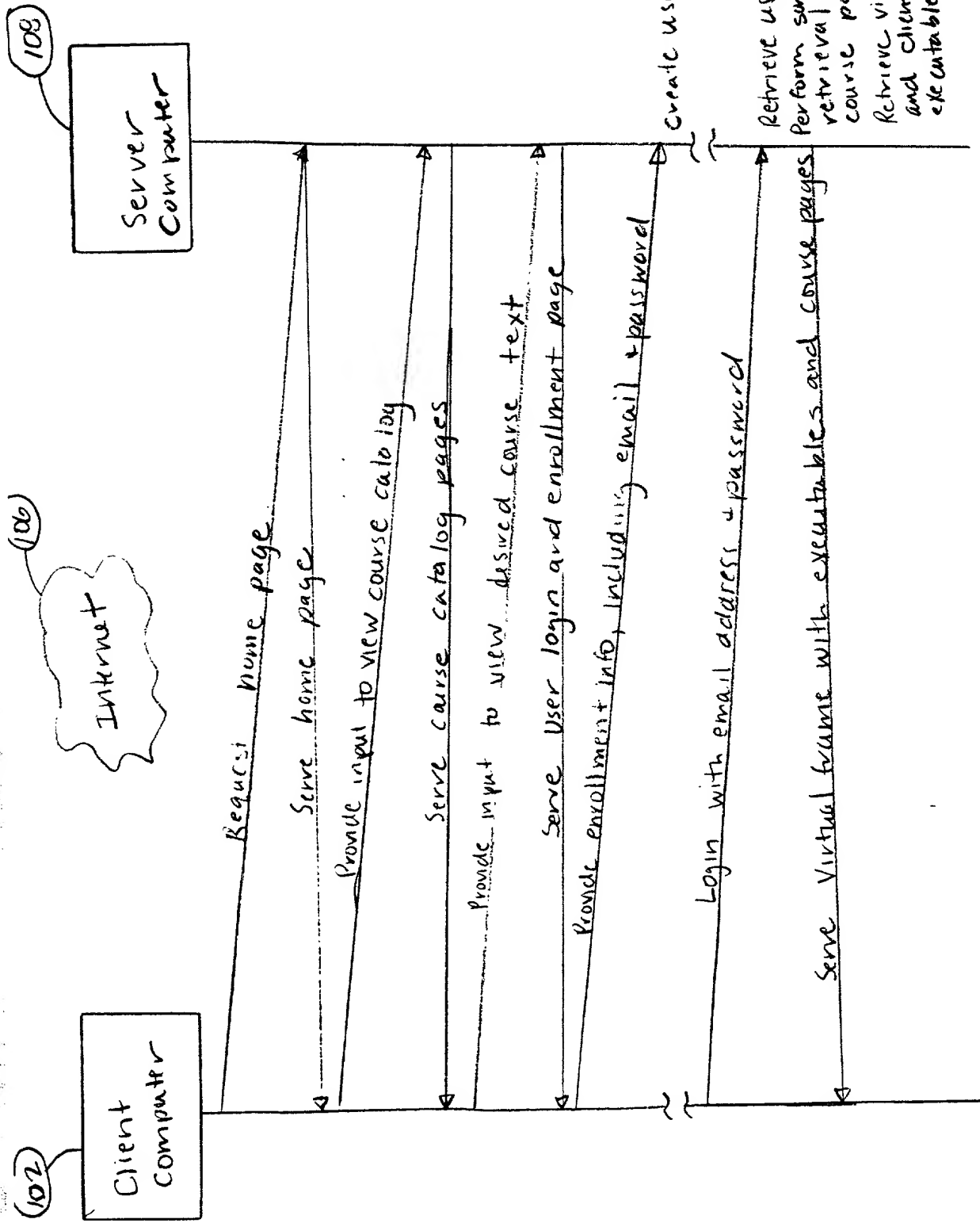


Figure 2B

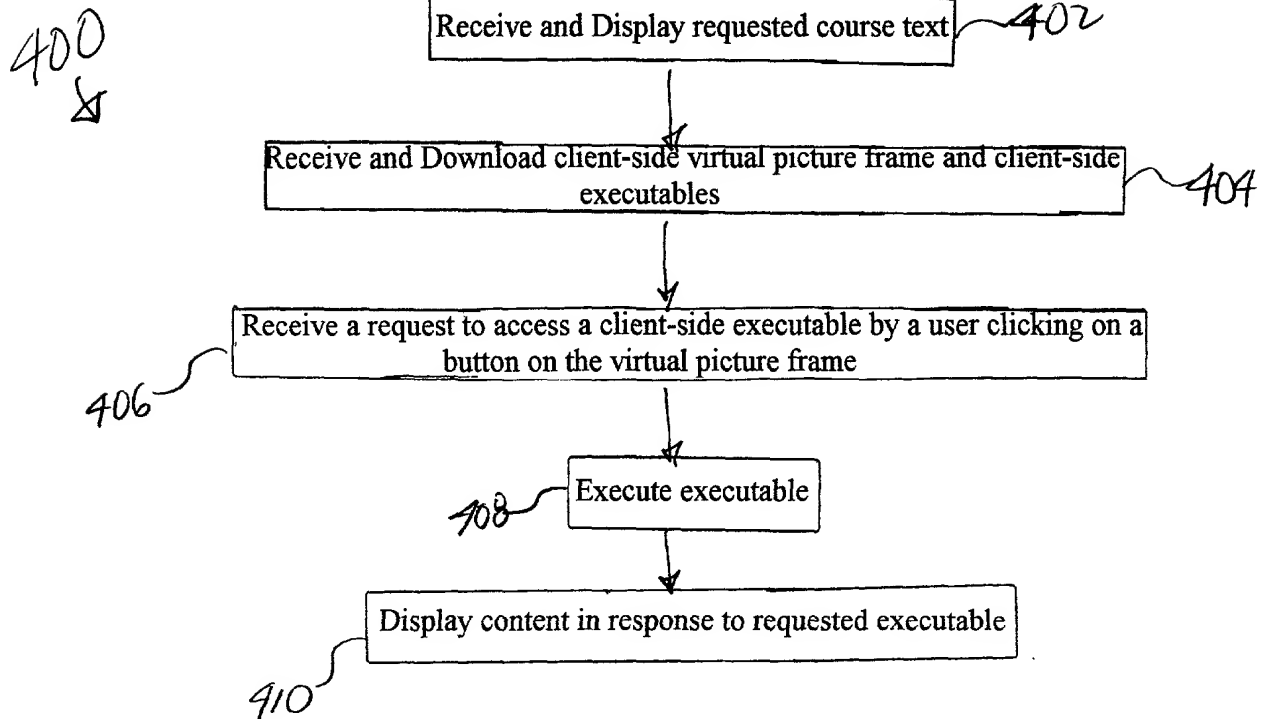


Figure 4

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WELCOME

Your Resource for Compensation & Benefits Education
Developed to provide a resource for those wishing to expand their knowledge in the area of compensation and benefits, the ERI Distance Learning Center offers 50 courses covering compensation and benefits topics. Review the current Course Listing by [click here](#).

Education without the Hassle
ERI realizes that today's professionals need to earn continuing education credits, but don't have time to attend seminars away from the workplace. DLC courses provide convenient, internet based access to compensation and benefits education from anywhere in the world.

CPE, MCLE, & CE Credits Available.
All courses may be taken without a credit card transaction if accessed through a participating university computer, an ERI Complete Consultant Series Plus licensed program, or an organization that has purchased a Course Package. Users that need to receive CPE, MCLE, or CE credits for courses, can view a list of accredited courses by [click here](#).

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Master ERI Certificate

DLC Wizard Analysis Tutorial Workshop Textbook Online Survey Reference URL ERI URL

Figure 6B

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Your Resource for Compensation & Benefits Education

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Education without the Hassle

ERI realizes that today's professionals need to earn continuing education credits, but don't have time to attend seminars away from the workplace. DLC courses provide convenient, internet based access to compensation and benefits education from anywhere in the world.

CPE, MCLE, & CE Credits Available.

All courses may be taken **without a credit card transaction** if accessed through a participating university computer, an ERI Complete Consultant Series Plus licensed program, or an organization that has purchased a Course Package. Users that need to receive CPE, MCLE, or CE credits for courses, can view a list of accredited courses by 502

Master ERI Certificate

| DLC Wizard | Analysis | Tutorial | Workshop | Textbook | Online Survey | Reference URL | ERI URL |
|------------|------------|------------|------------|------------|---------------|---------------|---------|
| <u>506</u> | <u>508</u> | <u>510</u> | <u>512</u> | <u>514</u> | <u>516</u> | <u>518</u> | |

Figure 6C

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Course Catalog

Four levels of online Interactive Courses are available:

- Overview - for the General Employee
- Basic - for the College Student
- Intermediate - for the Compensation/Benefits Analyst or the Beginning Consultant
- Advanced - for the Senior Analyst or Consultant

☐ Active / Certified

☐ Active / Certification Pending

☐ Under Development

Course Title

Special Issues Related to Compensation and Benefits (SIL cases required for MERIC)

☐ Preparing to be an Expert Witness

IBBCA Text Chapter: 00 Preface

Field of Study: Consulting Services

Level: Advanced

Course No.

01

CPE-MCLE-CE-MERIC

Certification Application

502

Course Title

Statistical Reliability

☐ Statistical Reliability

Start Course

Course No.

11

CPE-MCLE-CE-MERIC

Certification Application

502

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Figure 7

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User Login

Would you like to obtain continuing education credit for a course you are about to take? If so, follow these instructions.

1. If you already have an account, fill in your login information to the right and click the submit button.
2. If you are a New User, click the "Click Here to Enroll" above or the "Enroll Now!" link on top, to create your own ERI Distance Learning account.

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User Login Name
Password
Submit
Forgot your password?

| Distance Learning Center | Analysis | Tutorial | Workshop | Textbook | Online Survey | Reference URL | ERI URL |
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Figure 8A

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Course:

Q1: Preparing to be an Expert Witness

Instructions

Course Objectives

COURSE TEXT

Final Exam

Evaluation

Certificate

Exit Course

☒ Send Feedback

00 25 Time Elapsed

Course:

Q1: Preparing to be an Expert Witness

DEDICATION

This first course of ERI's Distance Learning Center is dedicated to those compensation and benefit consultants with whom the author has testified, against and for, over the years. During those years, it has taken no effort to note that the profession of being an "expert" is a deadly one. Fuller, Bauder, Sullivan, Brennan, the list goes on and on of consultants who have suffered heart attacks, strokes, and worse. The stress of being an expert witness cannot be overlooked. "Sitting around", eating nervous lunches, working late hours, long plane rides, and a lack of a schedule compound the pressure. For some, there is no place as dangerous to one's thought processes as a courtroom, no place as exciting.

In the mid 1970s, this author patterned his company after a consulting firm in Los Angeles known as OH&H. That firm's principal, Xie Olaine, became even more of a mentor when in the mid 1980s, he abruptly retired and moved to the Northwest to live and sail. In February 2001, while walking through the tulip festival in LaConner, Washington, the author chanced to stop in at the Northwest Academy of Art. On the wall were written these words, "In memory of Xie, love Babo".

I said to the older lady at the counter as I was walking out, "I didn't know that Xie Olaine had died."

She said, "Yes, it was 5 years ago."

Course:

Q1: Preparing to be an Expert Witness

DEDICATION

This first course of ERI's Distance Learning Center is dedicated to those compensation and benefit consultants with whom the author has testified, against and for, over the years. During those years, it has taken no effort to note that the profession of being an "expert" is a deadly one. Fuller, Bauder, Sullivan, Brennan, the list goes on and on of consultants who have suffered heart attacks, strokes, and worse. The stress of being an expert witness cannot be overlooked. "Sitting around", eating nervous lunches, working late hours, long plane rides, and a lack of a schedule compound the pressure. For some, there is no place as dangerous to one's thought processes as a courtroom, no place as exciting.

In the mid 1970s, this author patterned his company after a consulting firm in Los Angeles known as OH&H. That firm's principal, Xie Olaine, became even more of a mentor when in the mid 1980s, he abruptly retired and moved to the Northwest to live and sail. In February 2001, while walking through the tulip festival in LaConner, Washington, the author chanced to stop in at the Northwest Academy of Art. On the wall were written these words, "In memory of Xie, love Babo".

I said to the older lady at the counter as I was walking out, "I didn't know that Xie Olaine had died."

She said, "Yes, it was 5 years ago."

Course:

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Figure 9

April 2001
AAAShowMe Company
Demo Data

504

Geographic Assessor

ProductDesLabel

Proxies & 10-Ks

Salary Assessor

Relocation Assessor

Comparables

Executive Compensation Assessor

Apur's Self-Heal

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Update Data

Start | [Course Cat.](#)

Inbox - Micr.

Exploring - CV

WinZip (Win

QERI'S PLATF...

Microsoft Windows

3:29 PM

Figure 18

The screenshot displays the ERI (Economic Research Institute) website. At the top, a navigation bar includes links for HOME, FAQ, ABOUT ERI, TECH SUPPORT, PRESS, SEARCH, E-MAIL, and ORDER. Below this, a central banner features the ERI logo and the text "ECONOMIC RESEARCH INSTITUTE". To the left of the banner, a vertical list of products is shown: GEOGRAPHIC ASSESSOR, RELOCATION ASSESSOR, EXECUTIVE COMPENSATION ASSESSOR, SALARY ASSESSOR, and GEOGRAPHIC REFERENCE REPORT. To the right of the banner, a vertical list of services is shown: SUBSCRIBE NOW, SUBSCRIBER UPDATES, ERI UPDATE NEWSLETTER, and FREE DATA. Below the services list, a sidebar contains contact information: 552 554 576 588, 560, and 504. The sidebar also includes a "FREE DATA" button and a "SUBSCRIBE NOW" button. The main content area is divided into two columns. The left column lists products: GEOGRAPHIC ASSESSOR, RELOCATION ASSESSOR, EXECUTIVE COMPENSATION ASSESSOR, SALARY ASSESSOR, and GEOGRAPHIC REFERENCE REPORT. The right column lists services: SUBSCRIBE NOW, SUBSCRIBER UPDATES, ERI UPDATE NEWSLETTER, and FREE DATA. Below the services list, a sidebar contains contact information: 552 554 576 588, 560, and 504. The sidebar also includes a "FREE DATA" button and a "SUBSCRIBE NOW" button. The main content area is divided into two columns. The left column lists products: GEOGRAPHIC ASSESSOR, RELOCATION ASSESSOR, EXECUTIVE COMPENSATION ASSESSOR, SALARY ASSESSOR, and GEOGRAPHIC REFERENCE REPORT. The right column lists services: SUBSCRIBE NOW, SUBSCRIBER UPDATES, ERI UPDATE NEWSLETTER, and FREE DATA. Below the services list, a sidebar contains contact information: 552 554 576 588, 560, and 504. The sidebar also includes a "FREE DATA" button and a "SUBSCRIBE NOW" button.

552 554 576 588 560 504

HOME FAQ ABOUT ERI TECH SUPPORT PRESS SEARCH E-MAIL ORDER

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PRODUCTS

- GEOGRAPHIC ASSESSOR
- RELOCATION ASSESSOR
- EXECUTIVE COMPENSATION ASSESSOR
- SALARY ASSESSOR
- GEOGRAPHIC REFERENCE REPORT

SUBSCRIBE NOW

SUBSCRIBER UPDATES

ERI UPDATE NEWSLETTER

FREE DATA

PROXIES / 10-Ks APPRAISAL NORMS

IMMIGRATION WAGES SALARIES - PAY

HR CODES / LAWS

SALARY, COL, BENEFIT SURVEYS / SOURCES

COLLEGE / CAREER PLANNING / TUTORIALS

504

A Compensation and Benefits Research Outsourcer

ERI Economic Research Institute is a compensation and benefits research outsourcing. We offer research software and reports relating to area wage and salary differentials, salary survey position pay, benefits, area cost-of-living differentials, and other human resource and demographic information relating to employee pay.

ERI research data can provide you with answers to all manner of questions relating to salary survey, wage survey, salary comparisons, COL, employee group insurance, and executive compensation salary comparisons.

| OLEC wizard: | Active Analysis | Analysis Dialogs | What-Ifs | IBCCA Test | Online Survey | Reference URL | ERI URL |
|--------------|-----------------|------------------|----------|------------|---------------|---------------|---------|
|--------------|-----------------|------------------|----------|------------|---------------|---------------|---------|

TERI's Pla... **Microsoft**

54 516 518

8,95 015

506

File Edit View Options Description Library Internet Help

Individual Profile | Benchmark List | Proxy Analyses

| Position | Year | Annual Compensation | | Long Term Comp. | All Other Comp. | Total |
|--------------------------------|-------------|---------------------|-----------|-----------------|-----------------|-----------|
| | | Salary | Bonus | | | |
| Chief Executive Officer | 2001 | | | | | |
| Estimated Mean Comp. | | 419,541 | 313,647 | | | 733,189 |
| Maximum Reasonable Comp. | | 775,800 | 1,117,507 | | | 1,893,307 |
| Chief Operating Officer | 2001 | | | | | |
| Estimated Mean Comp. | | 315,930 | 160,650 | | | 476,580 |
| Maximum Reasonable Comp. | | 558,245 | 599,449 | | | 1,157,694 |

Data That Affects ERI Salaries

Organization Data
Area: Abilene-Lyttle Shores, Texas
Industry: Data Processing And Preparation
Codes: SIC: 7374, PBA: 7379, NAIC: 51421
Size (Revenue): 300-000,000

Valuation Date: May 2, 2001

Data as of: April 1, 2001

Organization:

File: c:\my documents\yx.xca

Base Salary Graph

Big Graph
Hide Dots

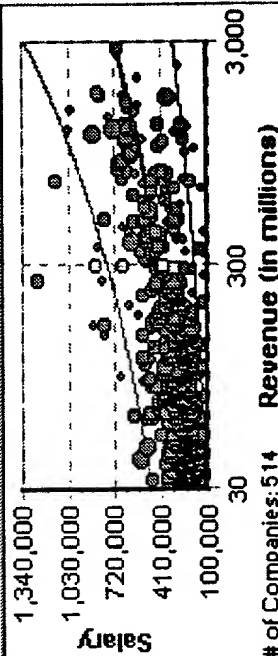
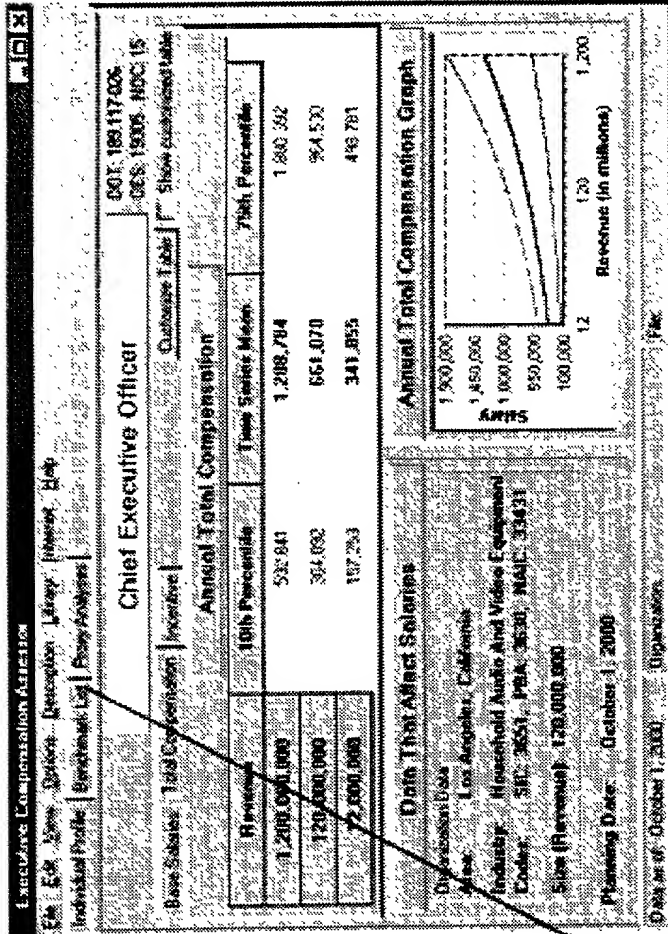


Figure 12



From the Individual Profile screen, click the tab labeled Proxy Analyses to bring up the Proxy Analyses table.

V1.2

Figure 13

❌

ERI Benefit & Compensation Administration Assessor

January 2001
ERI Example
BETA TEST VERSION 1.0

Database Administration

- Employee Human Resources Database
- On-Line Employee Benefit Claims Review
- Benefit & Compensation Plan Database

Benefits Communications

- On-Line Benefit Enrollment/Changes
- Employee Benefit Communications
- Frequently Asked Questions

Planning

- Salary Increase Budgeting/Plans
- Relocation Labor Cost Modeling
- Incentive and Gain Sharing Plans

Compliance

- Employee Benefit 5500 Reporting
- Benefit Plan Discrimination Testing
- Human Resource Codes/Laws

Welcome!

For the last several years, ERI has experimented with Internet-based benefits communications ([BenefitsReview.com](#)) and on-line U.S. and Canadian Benefits Surveys ([SalaryReview.com](#)). The Benefit & Compensation Administration Assessor is designed to combine the power of these Internet applications and other on-line benefit providers like Aetna and iBenefits, with software applications specifically designed to meet the needs of the Human Resources Administrator.

Please click on a module at left to view more information.

To download and install the latest beta-test version of the Benefit & Compensation Administration Assessor please visit www.eri.com/Subscriber%20Update/updates.htm.

[BenefitsReview.com](#)

[Your HR Internet Site](#)

[Benefit Assessor \(DOS\)](#)

Figure 14

| | HOME | COURSE CATALOG | YOUR ACCOUNT | SITE MAP | RESOURCES |
|--|------|----------------|--------------|----------|-----------|
| E1 | | | | | |
| Plan (75) | | | | | |
| Education: | | | | | |
| Compensation of Sales and Professional Employees | | | | | |
| * Interactive Course Creating a Per Diem Allowance Program (70) | | | | | |
| Education: | | | | | |
| Managerial and Executive Compensation | | | | | |
| * Interactive Courses: Maximum Reasonable Compensation (12) Black-Scholes Valuations (22) Accumulated Earnings and Deferred Compensation (42) | | | | | |
| Chapter 2A: | | | | | |
| International Remuneration | | | | | |
| * Interactive Course: Local and Third Country National Compensation (81) Determining an Expatriate's Compensation (82) | | | | | |
| MANAGERIAL AND EXECUTIVE COMPENSATION | | | | | |
| Managers are probably the most important group for which special compensation programs are established. The importance of the management job demands that special consideration be given to this group. Managerial compensation plans are also very sensitive subject. It is, after all, the managers who make the compensation decisions in organizations, so any special plans need to be clearly delineated so there | | | | | |
| Within the management group (for our definition) exists the "executive group". Common to many position naming systems, these positions carry the lead title "Top" or Vice President (except in financial institutions), "Chief" or other nomenclature which differentiates their position within an organization hierarchy. In many international locations and within smaller to medium sized North American firms the terms managers and executives are interchangeable. This is not the case for large U.S. publicly traded corporations and it is clearly not the case for the compensation levels and practices paid and used. "Executive compensation" is a subject on its own, although we concurrently cover it in this chapter. | | | | | |
| Managerial employees represent the most common group to be identified as requiring special compensation programs. This group easily meets the requirements discussed in the last chapter for special consideration in regards to compensation. Managers are a small part of the total number of employees in any organization but represent a disproportionately high percentage of total wage costs. They are a group of vital importance to the operation of the organization, and it is important to attempt to individualize compensation for each manager, particularly each executive. It is possible to develop measures of individual performance such that incentives are appropriate and desirable, since it is of utmost importance that managers associate themselves with organizational success. | | | | | |

Figure 15

SalariesReview.com - Compensation and Benefits Data - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit Discuss Del Home

Address http://www.salariesreview.com/surveys/national_pay.cfm?cid=645902&clicken=45987328&id=1dedaba&first=1

Our Story | Testimonials | Decision Map | Shopping Cart | Feedback

SalariesReview.com The Business of Pay Information

U.S./Canada Wage & Salary Report


Request a report of "median", "low" and "high" wage or salary, along with an average "bonus" for any one of ~4,000 positions in any of 5,800 U.S. and Canadian locations from this on-line interactive salary survey.


Price US \$18.00

☐ Quick Zip ☐ Enter a postal code now to jump to Step 4!
Example Report Methodology

Available Surveys

- ☐ U.S./Canada Wage & Salary
- ☐ U.S./Canada Cost of Living
- ☐ U.S./Canada Employee Benefit
- ☐ International Remuneration
- ☐ International Cost of Living
- ☐ College Graduate Offer

CPAs click here!  Affinity Program Provider



Select your area/position. (Wait for the screen to refresh itself after each selection.)

Step 1. Country

Step 2. State/Province

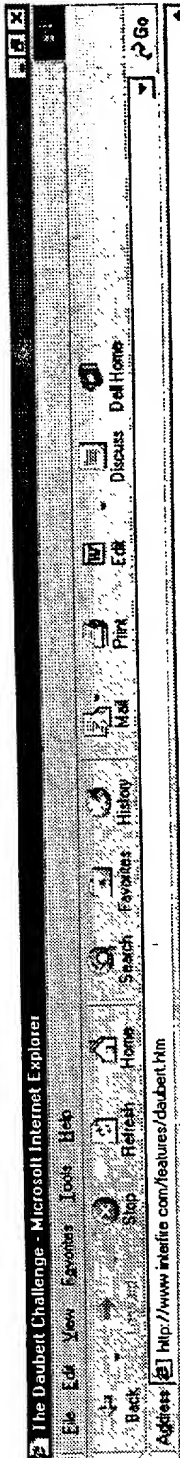
Step 3. City in Survey Area

Step 4. Position

(Select a position that begins with:
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z)

Description - No Position Selected
Alternate Titles

Figure 16



Fire Scene Investigation:

The Daubert Challenge

Guy E. Burnette, Jr., Esquire
Butler Burnette Pappas
Charles H. Pappas

In 1923, the United States Circuit Court for the District of Columbia, in the case of *Frye v. United States*, 54 App. D.C. 46, 293 F. 1013 (1923) established a threshold standard for the admission of expert testimony in federal court cases. That standard imposed a requirement that the data and methodology used by the expert in developing an opinion be of the kind "generally accepted" by other practitioners within that particular discipline. This standard of "general acceptance" was universally adopted and subsequently used in both federal and state courts for over 70 years. It is still used today in a number of state court jurisdictions. However, a new standard of admissibility in federal court cases was established in 1993 which has since been adopted in a growing number of state court systems. As this new standard has recently been applied to fire scene investigation, it presents a significant challenge to the traditional admissibility of fire origin and cause testimony.

In 1975, Congress enacted Federal Rule of Evidence 702, which was intended to simplify and liberalize the admission of expert testimony. That rule states:

If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise.

While Rule 702 was intended to broaden the general admissibility of expert testimony and certainly did so, it did not directly address the legal standard for measuring the foundation of an expert's conclusions. The *Frye* standard of "general acceptance" continued to be used until the Supreme Court issued its opinion in *Daubert v. Merrill-Dow Pharmaceuticals*, 509 U.S. 579, 113 S. Ct. 2786, 125 L.Ed.2d 469 (1993). In *Daubert* the Court ruled that the *Frye* test had been effectively abolished by Rule 702 and the federal courts must now apply a new standard for the admission of expert testimony.

Daubert was a case involving birth defects allegedly caused by the mother's use of Bendectin, an anti-nausea drug, during her pregnancy. Merrill-Dow moved for summary judgment in the case, claiming its drug had not caused the injury to the child. In support of its motion, Merrill-Dow submitted the affidavit of a physician and

Figure 17

Human Resources Codes and Laws - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Stop Refresh Home Search Favorites History Mail Print Edit Discuss Del Home

Address <http://www.eri.ca/codes/>

HOME FAQ ABOUT ERI TECH SUPPORT PRESS SEARCH E-MAIL ORDER

Human Resource Codes & Laws

as the Citizenship and Immigration Canada's web site
<http://www.cic.gc.ca/english/about/fac/ask%2D16a.html>. These two federal departments are responsible for this policy. The former is responsible for the validation of the offer of employment; the latter is responsible for the employment authorization.

MANITOBA - REMUNERATION
www.SalariesReview.Com™ is a recommended source for U.S./Canadian wages & salaries (covering 3,000 positions).

MANITOBA - TERMINATION & SEVERANCE PAY
Notice of Termination by Employer: 1 pay period.

Vacation Pay Upon Termination: 4% of annual earnings; 6% after 5 years.
 (Manitoba Labour Standards)

Payment Required: Within 5 days of termination.

MANITOBA - UNEMPLOYMENT TAX
 See Canadian Federal [Unemployment Insurance](#)

MANITOBA - VACATION PAY
 2 weeks; after 5 years, 3 weeks.
 (Manitoba Labour Standards)

MANITOBA - VOTING TIME OFF

Internet

Figure 18